

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:

Jacksonville

FILE NUMBER:

SAJ-2004-4012(MRE)

REGULATORY PROJECT MANAGER:

Mark R. Evans Date: April 14, 2004

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office Y (Y/N) Date: April 14, 2004

At the project site __ (Y/N) Date: _____

PROJECT LOCATION INFORMATION:

State:

Florida

County:

Clay

Center coordinates of site by latitude & longitudinal coordinates:

30.08° -81.87°

Approximate size of site/property (including uplands & in acres):

0.25 acre

Name of waterway or watershed:

North Fork of Black Creek

SITE CONDITIONS:

Type of aquatic resource ¹	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear feet	Unknown
Lake									
River									
Stream									
Dry Wash									
Mudflat									
Sandflat									
Wetlands									
Slough									
Prairie pothole									
Wet meadow									
Playa lake									
Vernal pool									
Natural pond	0.02								
Other water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹ :	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able To Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?				X	
Is or would be used as habitat by other migratory birds that cross state lines?				X	
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?		X			

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary __ Or Approved X.

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite): Project site is an approximate 0.02-acre pond at the roadside edge of a residential parcel. The parcel is located within a large subdivision that encompasses a larger lake and the North Fork of Black Creek. There is no discernable hydrological connection between the pond and the other waters of the United States. The project manager believes that migratory birds would preferentially utilize the large lake or the creek rather than the onsite pond.